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COMMITTEE ON THE RIGHTS OF THE CHILD

Twentieth session

SUMMARY RECORD (PARTIAL)* OF THE 520th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 21 January 1999, at 3 p.m.

Chairperson: Miss MASON

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* No summary record was prepared for the rest of the meeting (closed).

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The meeting was called to order at 3.05 p.m.

COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES (agenda item 6)

1. Mrs. MILLER (United Nations Children's Fund (UNICEF)) said that several documents on recent UNICEF activities were available to the members of the Committee. Among them was a summary of the international preparatory meeting held in December 1998 in connection with the "What Do You Think?" pilot initiative on child participation in the CRC reporting process. The project was to be launched in 12 pilot countries, namely, Belgium, Germany, Italy, Mali, Mexico, Philippines, Romania, South Africa, Spain, Switzerland, United Kingdom and Viet Nam. The participants had been informed of the Committee's receptivity to the idea of children reporting their views on the respect of their rights. The meeting had been co-facilitated by the NGO Group for the Convention on the Rights of the Child.

2. Also included in the documentation was a letter from the Norwegian Ombudsman for Children, Mr. Trond Waage, following a meeting with the United Nations High Commissioner for Human Rights, which listed the arguments for promoting the existence of independent offices for children such as his own.

3. She drew attention also to the publication Managing Child Rights in East Asia and the Pacific, which outlined 10 years' experience in implementing the Convention in a number of countries, identified the lessons to be learned from that experience and outlined recommendations. There was also a report from the East Asia office of UNICEF on training trainers and a report on the "Young people in crisis" meeting held in late 1998 in Brazil, which concluded that situation analyses should be broadened to cover young children up to the age of 18, as opposed to concentrating exclusively on the very young.

4. Mr. HERNANDEZ PULIDO (International Labour Organization (ILO)) said that, at its December 1998 meeting, the ILO Committee of Experts on the Application of Conventions and Recommendations had reviewed the information contained in the reports submitted by States parties to the Committee on the Rights of the Child in the course of its appraisal of the application of ILO Conventions Nos. 5, 59, 123 and 138. Information provided by the Committee had also featured in the conclusions forwarded to a number of countries. Such cooperation served to strengthen the links between the Committee and the ILO supervisory bodies.

5. A Declaration on Fundamental Principles and Rights at Work, which included the rights of working children, had recently been adopted and the follow-up was currently being discussed by the ILO Governing Body. Following discussions during the International Labour Conference (ILC) in June 1998 regarding a new instrument on the prohibition and elimination of the worst forms of child labour, it had been decided that a corresponding convention and recommendation would be adopted at the 1999 Conference.

6. He thanked the Committee for the information it had provided which would be incorporated in the 1999 ILC Record of Proceedings. The new ILO Convention would make a significant contribution to international efforts to combat child

labour. Meanwhile, Convention No. 138 concerning the minimum age for admission to employment was likewise extremely important in that regard and the ILO Governing Body and the ILC welcomed the fact that the Committee often encouraged the States parties to ratify that core ILO convention.

7. Ms. LILJESTRAND (World Health Organization (WHO)), introducing the proposed WHO 1999 work plan for the promotion and protection of the rights of children and adolescents in connection with health and health care, said that her organization had a contribution to make to the work of the Committee by helping countries to attach the proper importance to survival, health and health care when assessing their progress in implementing the rights of their children; it could also help the Committee to make practical and realistic recommendations to countries on overcoming constraints to children's rights in those areas and it could itself benefit from the high political profile and powerful advocacy role of the Committee to stimulate countries to develop effective child health activities.

8. In 1998, WHO had implemented a work plan to devise a more comprehensive policy on child and adolescent rights, while efforts had been made to strengthen WHO input into the reporting process of the Convention on the Rights of the Child and to provide technical support to countries with a view to correcting the health problems identified by the Committee.

9. The three main areas of work for 1999 were improving WHO capacity to act on issues relating to the rights of children and adolescents, continuing and strengthening the provision of technical support to the work of the Committee and continuing and strengthening its collaboration with other relevant bodies in working towards the progressive realization of the right to health and health care of all children and adolescents.

10. Mr. TAPLIN (International Monetary Fund (IMF)) said that the IMF mandate, which centred on medium-term economic and financial matters, might appear to have little in common with that of the Committee. Nonetheless, social and other policies were more likely to be successful in a stable macroeconomic environment. As far as IMF activities were concerned, therefore, the Committee's interest would tend to lie in the social dimensions of economic and financial policy in the areas, for instance, of taxation and government expenditure policy.

11. The suggestion had been made that the IMF should focus more closely on social concerns, and, consequently, it had, among other measures, organized a high-level seminar involving academics, research institutions and IMF staff members to study the impact of its policies on income distribution and equity. The allegation had also been made that the Fund's activities lacked transparency but the immense volume of information currently available on the IMF Website demonstrated the substantial efforts that had been devoted to rectifying that situation.

12. For instance, one of the documents available there was a study that had been conducted into the strengths, weaknesses and failures of IMF policies and activities in Korea, Indonesia and Thailand over the previous 18 months, following the onset of the East Asian economic crisis. It was the first time that such an extensive internal assessment had been carried out, but the

candid conclusions of the study had unfortunately been misconstrued in some quarters. Another area of potential overlap between the activities of the IMF and the concerns of the Committee related to the quality of governance, as reflected in such areas as fiscal policy, central bank activities and the integrity of judicial institutions.

13. As for the more general topic of cooperation between international bodies, WHO and IMF had frequently discussed the possibilities of closer cooperation, for instance the use of WHO health indicators by the IMF in designing public sector policies which, beyond the immediate practical benefit, would serve to make IMF staff more sensitive and responsive to specific needs. In policy dialogue with its member States, the IMF regularly sought to obtain indicators on the potential effects of the adjustment process on such areas as health, education, social security nets and other mechanisms to protect the most vulnerable sectors of society. It sought to emphasize the desirability of productive expenditure on, for instance, education or health, rather than non-productive expenditure.

14. The IMF's heightened sensitivity to the social impact of its programmes was demonstrated by the fact that, in policy discussions with Indonesia, the budgetary targets initially proposed had been reduced in order to accommodate the continued payment of food subsidies to vulnerable groups. While such examples might not appear to be immediately relevant to the implementation of the rights of the child, the IMF's work in the international financial sector certainly influenced the framework within which child rights were implemented.

15. Mrs. SARDENBERG said she welcomed the UNICEF initiative to encourage the participation of children and asked whether the Fund intended to expand the number of countries involved and, more generally, what the next step would be. In that connection, it would be helpful to know whether UNICEF intended to integrate the child participation project into its country programmes. The letter prepared by UNICEF regarding the role of ombudsmen in the implementation of the Convention was of significant interest, as was the report of the programming meeting on health and development rights held in Brazil in 1998. Although the Committee had found that ombudsmen had proved useful in many cases, there were some countries which were reluctant to institute such an office.

16. She would like to know what the prospects were for the adoption of the draft ILO convention addressing the matter of working children. She was enthusiastic about the WHO work plan and was anxious to hear when it was likely to be adopted and implemented.

17. Lastly, she welcomed the presence of the representative of the IMF, an organization that was all too often invoked by States parties to the Convention when explaining their economic difficulties. The reports submitted to the Committee described the economic situation of countries from the viewpoint of Governments; it might be very useful to have the Fund's assessments as well, and she wondered whether it would consider sharing such information with the Committee.

18. Mrs. MOKHUANE said that the Committee had reviewed the reports of a number of countries which had undergone structural adjustment regimes for as

long as 10 years without any obvious signs of improvement. She would be interested to hear, therefore, how long it should take, under normal circumstances, and given stable political conditions and a sound fiscal policy, to reap the positive effects of structural adjustment. The economic condition of a country had, of course, a profound bearing on its ability to make improvements in the social and educational spheres.

19. She would like to know more about the role of the facilitators in the UNICEF child participation project. What was the envisaged relationship between facilitators and parents?

20. Mrs. PALME said that most reports on the impact of structural adjustment were indeed negative. Greater interaction, cooperation and understanding between the Committee and the IMF might thus be helpful. The representative of the IMF had mentioned a study on the impact of its policies on income distribution and equity. In that connection, it was interesting that the Fourth World Conference on Women had found that equity and equality were not the same. Such a distinction might indeed have a bearing on assessments of the relation between income distribution and the survival of children. Since the IMF was apparently according more attention to such areas as health, water and housing, it would be useful to hear how much support countries could reasonably expect.

21. Mrs. MBOI asked the representative of UNICEF what particular groups of children the child participation project was targeting. The terminology applied to children by ILO, WHO and UNICEF varied considerably, often causing confusion in the Committee. Had those bodies contemplated negotiating a common set of definitions? She asked the representative of ILO whether that Organization had contemplated integrating the provisions of ILO Convention No. 138 and those of the new draft convention. Was children's participation in the commercial sex industry considered to be "work" or "most hazardous work"?

22. Recent reports showed an increase in the number of Indonesian children living in the street and working in the sex industry, and also indicated that such children often belonged to families receiving assistance from the IMF social safety net programme. Had the Fund considered requiring that the rights and needs of children should be accorded priority? Had the plight of children obliged to drop out of school for economic reasons or of those engaged in hazardous work been taken into consideration in the development of financial support packages?

23. Mrs. MILLER (United Nations Children's Fund (UNICEF)) said that UNICEF was relying on the Committee's assistance in its child participation project. It intended to expand the project to include more countries in the coming year, once the current pilot phase was completed. The Geneva office of UNICEF was carrying out the programme in conjunction with the New York office, which was expected to concentrate its efforts on documentation, monitoring and evaluation. The new child participation programme would be built into existing UNICEF country programmes and projects; there was no intention of creating new structures.

24. It was envisaged that the facilitators would work with representatives of NGOs, schoolteachers and community leaders; they would surely work with parents as well. Each country would, however, create its own programme and working methods in consultation with children. It had been agreed that the programme must not confine itself to well-to-do children in capital cities but must reach out to the children of vulnerable groups.

25. As the Committee was aware, UNICEF served as the secretariat for the European Network of Ombudsmen for Children (ENOC). It was developing a Website which would furnish information on ombudsmen for children, and was preparing a training pack which would discuss the history and objectives of the ombudsman for children office, and provide information on how to set up such an office.

26. Lastly, she wholeheartedly agreed that all the organizations concerned should attempt to establish a set of common definitions of children. The problem was acknowledged by all; a solution had still to be found.

27. The CHAIRPERSON said she hoped that any discussion of the definition of the child and related terminology would also address the aspect of the provision of data on children, which often reflected an age breakdown that was not in accordance with the Committee's definition of the child.

28. Mr. HERNANDEZ PULIDO (International Labour Organization (ILO)) said that while, generally speaking, there appeared to be a strong consensus among the framers of the new draft convention, its adoption would, of course, be a matter for the ILO member States.

29. Draft article 2, discussed at the most recent session of the technical commission, established the age of 18 as the end of childhood. Some members had nevertheless asserted that that standard should not be rigidly applied to existing conventions, naming in particular ILO Convention No. 138. That was certain to be a controversial question. It should be remembered that the ILO Conventions had been formulated and enacted over a period of many years, and the definitions of childhood contained in them were not the same. He fully agreed that it would be useful to hold discussions with other organizations of the United Nations system so as to identify a nomenclature that would be serviceable for all.

30. ILO Convention No. 138, which established the minimum age for admission to employment, would remain the most important international instrument in the effort to prevent children from working. The new draft convention responded, however, to a deep concern among the ILO membership with regard to activities which exploited children of all ages throughout the world, and which might or might not be considered "work" in the strictest sense of the term.

31. Draft article 3 enumerated the forms of activities which would be prohibited; there had been disagreement about reference in that list to participation by children in the armed forces. To date neither the technical commission nor the international conference on work had pronounced on that matter.

32. Mr. TAPLIN (International Monetary Fund (IMF)) said that there were few economists who would argue that income should be equal across all sectors and all participants in the economy and insistence upon equal wages for everyone would not produce an effective distribution of human resources. He took the point, however, that there were many aspects to equity and equality which were of concern and should be borne in mind.

33. As to whether the IMF could provide some economic analysis on a case-by-case basis as part of the documentation used by the Committee in its consideration of country reports, he pointed out that documents were prepared on recent economic developments in IMF member countries, and, if the country in question agreed, they could be made available to the Committee; in any case, a summary of those documents was available on the Fund's Website. Another document, the policy framework statement, which was prepared jointly by the national authorities, the Fund and the World Bank, covered policies, objectives and analysis over a three-year period. For most of the Fund's lower-income member States, that document was posted on the Website also.

34. With respect to the length of time it took for countries to reap the benefits of structural adjustment programmes, he said that some problems took more than a few years to correct, as the international setting was shifting constantly, and external factors such as commodity prices could have implications on how an economy needed to adapt if it was to compete in a global framework. There were also hiccups in policy implementation; some policies took a great deal of political courage to implement and, all too frequently, an adequate domestic support base had not been mobilized, or else it shifted in accordance with the political winds. There might also, of course, have been a misjudgement concerning just how effective certain economic policy instruments might be in a specific country setting.

35. There was no clear-cut way of assessing whether structural adjustment policies bore fruit in the final analysis, but the statistics did indicate that those countries that had engaged in steadfast structural adjustment programmes had achieved better growth rates, lower inflation rates and more stable macroeconomic balances than those that had not.

36. He regretted that it was not possible for members of the Fund's staff to attend the Committee's meetings more regularly. The Fund had only a small office at Geneva and there was a hiring freeze. It might, however, be possible to find effective ways of developing cooperation between the two bodies. The member States gave clear mandates to their respective institutions, and the Fund's guidelines were to focus on economic and financial matters in the macro sense and not stray off the path into more sectoral or micro issues; previous efforts in that direction had not been well received. If the member States felt that there was a productive way of strengthening the Fund's commitment to the principles enshrined in the Convention, they could bring them to the Fund and its discussions of conditionality. However, asking the Fund to focus on issues surrounding the rights of the child, and seeking to extract policy statements by the authorities on those rights, would not get very far.

37. Mrs. LILJESTRAND (World Health Organization (WHO)) said that she was not in a position to say when the work plan would be approved, but WHO's work on

the rights of the child would be expanded and the organization would continue to provide the Committee with technical support. She would take the questions raised by members of the Committee back to her Department.

38. Mrs. PALME said that, although one of the world's poorest countries, which had recently been dealt with by the Committee and also undergone restructuring, had received economic support from the World Bank to work with street children, she was still worried, as a structural analysis of the educational system there was still needed. She did not want to stop the economic support, but countries had to deal with all the children in their territories. Otherwise, it might be necessary to leave it to other agencies to care for difficult subgroups, such as disabled children, street children or child victims of armed conflicts. It might be important, therefore, for the IMF to interact with other agencies; ILO, for example, was doing work in the educational field in order to counteract the problem of child labour.

39. Mr. TAPLIN (International Monetary Fund (IMF)) said that there were no educational economists in the Fund and there were probably no exchange rate economists in UNICEF; it might be unwise to bestow too many tasks on the Fund without giving it the expertise to implement them. There was certainly a need for greater inter-agency interaction, however, and that was why the Managing Director of the Fund was an active participant in the Administrative Committee on Coordination (ACC) and the Economic and Social Council.

40. The CHAIRPERSON said she had learned from the discussion that it was apparently the country, and not the IMF, which set the parameters for adjustment. The matter would have to be discussed with the Fund in greater depth at the Committee's twenty-first session, when it could deal with the question why restructuring always seemed to affect the social sector even though it was directed only towards the economic and financial sector. Perhaps the IMF would consider the Committee's request for information that it could use when considering the country reports.

The discussion covered in the summary record ended at 4.45 p.m.